IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 15228 of 2005

Between:

Md. Rahamat Ali, S/o. Hyder Ali,
R/o. H.No.62-92-7, Hyderabad Road, Nalgonda, Nalgonda District.

..... PETITIONER

AND

1 The Regional Manager, APSRTC, Nalgonda Region, Nalgonda

District.
2 The Depot Manager, APSRTC, Miryalaguda, Bus Depot, Nalgonda

District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or writ more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not granting the special Grade/ Stagnation increment to the petitioner with effect from his completion of 12years of service in APSRTC in total (All Regions) and counting the present regions services of 12years for 12years stagnation increment/ special Grade as bad arbitrary, illegal unjust and contrary to the circulars and contrary to the judgments of this Hon'ble court and consequently direct the respondents to effect the 12 years stagnation increment/ special Grade to the petitioner on his completion of years of service in the all the regions of the corporation.

Counsel for the Petitioner: MR.G.RAVI MOHAN

Counsel for the Respondents: MR.V.T.M.PRASAD SC FOR APSRTC

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the inaction of the respondent in granting Special Grade/Stagnation increment as the petitioner has completed 12 years of service in the respondent-Corporation as Driver.

2. According to the petitioner, he was appointed as a Driver in the year 1980 in Hyderabad City Region. Thereafter, on the request of the petitioner, he was transferred to Nalgonda Region and the petitioner is now working in Nalgonda Region at Miryalaguda Bus Depot. It is stated that the petitioner have completed 12 years of service by 1992 itself. However, the respondents have not granted the stagnation increment, even though 12 years have completed long back. It is claimed that in view of the circular No.65 of 1989 dated 03-06-1989 issued by the Corporation, the petitioner is entitled for stagnation increment. The said circular was renewed by a subsequent circular dated 17-09-1991. Therefore, sought for implementation of the said circulars.

3 . Heard the learned counsel for the petitioner and the learned Standing Counsel.

4. As the petitioner was appointed in the year 1980 and completed 12 years of

service as Driver i.e., in the same post, he is entitled for stagnation increment.

5 . Accordingly, the respondent-Corporation is directed to grant Stagnation/Special Grade increment to the petitioner on completion of 12 years of service from the date of his regular appointment as a Driver. In that process, if the petitioner is entitled for any arrears, the respondent-corporation is directed to pay the same expeditiously, preferably, within a period of eight weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is disposed of. No order as to costs.

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S.ANANDA REDDY, J

14th July, 2005

SKM

Copy to:

1 The Regional Manager, APSRTC, Nalgonda Region, Nalgonda District.

2 The Depot Manager, APSRTC, Miryalaguda, Bus Depot, Nalgonda District.

3 Two C.D. Copies.